

# Katten

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March 30, 2023

## **BY ECF**

Hon. Gregory H. Woods  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, NY 10007

JOSEPH V. WILLEY  
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**Re: *United States of America and States of the United States, ex rel.  
Donohue v. Richard Carranza, et al.*, 1:20-CV-5396 (GHW)**

Dear Judge Woods:

This firm, along with the New York City Law Department, represents defendants New York City Department of Education and its former Chancellors, Richard Carranza and Meisha Porter (collectively, “NYC DOE”), in the above-referenced case; the firm also represents defendants Los Angeles Unified School District and its former Superintendent, Austin Beutner (collectively, “LAUSD”), which was dismissed from this case by Order dated November 3, 2022 (ECF No. 220).

This Court granted prior requests made by NYC DOE and LAUSD, respectively, to extend the time to file their motions for attorneys’ fees from March 14, 2023, to April 13, 2023 (ECF Nos. 264, 267). Plaintiff-Relator thereafter filed a Notice of Appeal of this Court’s Order, issued on February 28, 2023, which dismissed Plaintiff-Relator’s claims with prejudice against the Moving Defendants (as such term is defined in the Order) (ECF No. 259). In light of Plaintiff-Relator’s appeal to the Second Circuit, and Fed. R. Civ. P. 54, which provides that a motion for fees must be filed within 14 days after the entry of judgment, “[u]nless a statute or court order provides otherwise” (Fed. R. Civ. P. 54(d)(2)(B)), we now make this second request for an extension of time for NYC DOE and LAUSD to file their motions for attorneys’ fees after the resolution of the Second Circuit appeal on the merits. Thus, pursuant to Rule 1(E) of the Court’s Individual Rules of Practice in Civil Cases, NYC DOE and LAUSD respectfully request that the time to file their motions for attorneys’ fees be extended until 21 days after issuance of the Second Circuit mandate in this case. Counsel for Plaintiff-Relator has informed us that Plaintiff-Relator does not object to this request.

Respectfully,

/s/ Joseph V. Willey  
Joseph V. Willey

Cc: All counsel of record, via ECF